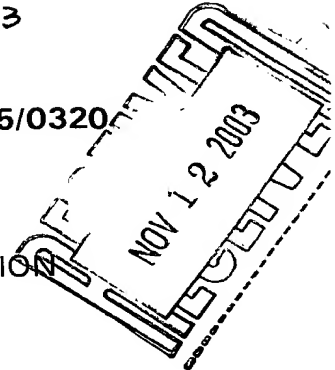




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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 040405/0320



Applicant: Toshio NITTA

Title: METHOD OF TRANSMISSION FROM TCP/IP COMMUNICATION
NETWORK TO MOBILE COMMUNICATION NETWORK AND
TRANSMISSION AND RECEPTION SYSTEM THEREFOR

Serial No.: 09/589,086

Filed: June 8, 2000

Examiner: Unassigned

Art Unit: 2731

RECEIVED

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Technology Center 2600

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that item of information A2 listed on the Form PTO-SB/08 submitted with this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Item of information A1 is a U.S. patent that is a counterpart to item of information A2 (which is a laid open Japanese patent application).

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued September 24, 2003 with respect to a counterpart Japanese patent application is provided below.

"In an opinion brief dated 25 July 2003, the applicant asserts, as a point of difference between the invention of the present application and Cited Literature 1 (International Publication No. 97/23977 pamphlet) indicated in the previous Notice of Reasons for Rejection, the point that, in the invention of the present application, the initial IP packet which forms the trigger for an incoming message from the Internet is detected by detecting

the SYN (synchronization signal) pattern in IP packets, allowing requests for initiating a TCP connection to be easily detected.

However, detecting a TCP connection initiation request by receiving a SYN packet (a TCP packet with a raised SYN (synchronization) flag) (the TCP 3-way handshake) is a technique well known to persons skilled in the art (if necessary, see for instance Japanese Unexamined Patent Application Publication H9-93304, paragraphs 0027 to 0029), and the invention of the present application does no more than to adopt said well-known technique as a method for detecting the initial packet in Cited Literature 1 (a method for detecting a TCP connection initiation request).

Therefore, the applicant's assertion cannot be accepted, and it is still found that the inventions as per Claims 1 through 11 of the present application could be easily conceived of by a person skilled in the art based on Cited Literature 1 and the aforementioned well-known art."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, which is asserted in the Japanese Office Action.

Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form-SB08 be returned in accordance with MPEP §609.

Respectfully submitted,

November 5, 2003
Date

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